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Attorneys for Defendant Rob Bonta, in his official
8 capacity as California Attorney General

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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13 **DAVID PHILLIP VALLEJOS,**
14 Plaintiff,
15
16 v.
17 **ROB BONTA, in his official capacity**
as the Attorney General of the State
of California; and CHAD BIANCO,
in his official capacity as the
Riverside County Sheriff,
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19
20 Defendants.
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Case No. 5:25-cv-00350

**DEFENDANT ROB BONTA'S
NOTICE OF NON-OPPOSITION
TO THE ATTORNEY GENERAL'S
MOTION TO DISMISS**

Date: April 30, 2025
Time: 1:30 p.m.
Courtroom: 5C
Judge: Hon. Sherilyn Peace
Garnett

22 Defendant Rob Bonta, in his official capacity as California Attorney General,
23 files this notice of non-opposition regarding the Attorney General's motion to
24 dismiss filed on March 24, 2025. ECF No. 26. The motion requests that the Court
25 dismiss Plaintiff's complaint because: (1) Plaintiff failed to serve the Attorney
26 General with a sealed and signed summons issued by the court clerk as required by
27 Federal Rule of Civil Procedure 4, and (2) Plaintiff's Second Amendment challenge
28 to California's concealed carry weapon licensing laws fails as a matter of law. *Id.*

1 Plaintiff's opposition was due on April 9, 2025, which is 21 days before the
2 designated hearing date of April 30, 2025. Civil L.R. 7-9. As of today's date, no
3 opposition to the motion has been received by the Attorney General or filed on the
4 case docket.

5 Failure to timely file an opposition as required by the Court's Local Rules can
6 be grounds for granting the motion. Civil L.R. 7-12; *see also Ghazali v. Moran*, 46
7 F.3d 52, 53 (9th Cir. 1995) (affirming the district court's decision to grant an
8 unopposed motion to dismiss under the local rules due to a pro se litigant's failure
9 to oppose the motion). Further, for the reasons stated in his motion, the Attorney
10 General respectfully requests that the Court grant the motion and dismiss the
11 complaint without leave to amend.

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13 Dated: April 16, 2025

Respectfully submitted,

14 ROB BONTA
15 Attorney General of California
16 JOHN D. ECHEVERRIA
Supervising Deputy Attorney General

17
18 */s/ Jerry Yen*

19 JERRY T. YEN
20 Deputy Attorney General
21 *Attorneys for Defendant Rob Bonta,*
22 *in his official capacity as California*
23 *Attorney General*
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CERTIFICATE OF SERVICE

Case Name: Vallejos v. Rob Bonta, et al.

No. 5:25-cv-00350

I hereby certify that on April 16, 2025, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

- **DEFENDANT ROB BONTA'S NOTICE OF NON-OPPOSITION TO THE ATTORNEY GENERAL'S MOTION TO DISMISS**

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I further certify that on April 16, 2025, the foregoing document(s) have been sent via electronic mail addressed as follows:

David Phillip Vallejos

Email Address:

soundinstaller441@gmail.com

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on April 16, 2025, at Sacramento, California.

Ksenia Lavrushchak

Declarant for eFiling and Electronic
Service

/s/ Ksenia Lavrushchak

Signature

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On April 16, 2025, the foregoing document(s) have been mailed in the Office of the Attorney General's internal mail system, by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

David Phillip Vallejos
4994 Shadydale Lane
Corona, CA 92878

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on April 16, 2025, at Sacramento, California.

Ksenia Lavrushchak
Declarant for Service by U.S. Mail

/s/ Ksenia Lavrushchak
Signature